

U.S. Pat. App. No.: 09/625,989
Atty. Docket No.: 005156.00011

REMARKS

Applicant respectfully asks for reconsideration of both the above-identified application and the Office Action dated June 30, 2004. A response to this Office Action was due by September 30, 2004. Accordingly, Applicant is concurrently submitting a Petition for a one month extension of time. The Commissioner is authorized to charge the small-entity Petition fee of \$55, together with any other fees that may be necessary to maintain the pendency of this application, including any fees under 37 C.F.R. §1.16 and §1.117, to Deposit Account No. 19-0733. Please consider this Amendment as timely filed.

Claims 1 and 2 were pending in this application. Claims 1 and 2 are amended herein to broaden these claims, and to place them in still better form. In addition, claims 3-10 are newly presented herein.

In the Office Action, the Examiner rejected claims 1 and 2 under 35 U.S.C. §103 over U.S. Patent No. 5,864,338 to Austin¹ in view of U.S. Patent No. 6,519,594 to Li. Applicant respectfully traverses this rejection, and courteously asks for its reconsideration. Further, Applicant respectfully submits that this rejection is not applicable to any of new claims 3-10.

Claims 1-10 recite a method of using a digital asset management system with a plurality of client applications that includes creating a floating pallet. As further recited in these claims, the floating pallet allows a user to identify a digital asset managed by the digital asset

¹ Applicant again respectfully points out that U.S. Patent No. 5,864,338 is actually to a patent to Nestor et al. entitled "System And Method For Designing Multimedia Applications," and makes no reference to a "DataSocket extension." Accordingly, Applicant understands that the reference to U.S. Patent No. 5,864,338 is in error. Applicant is instead treating the rejection of claims 1 and 2 as a rejection under 35 U.S.C. §103 to U.S. Patent No. 6,526,566 to Austin. If Applicant's understanding is incorrect, then the Examiner is invited to clarify the basis of the rejection.

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management system, and transfer the identified digital asset to a client application selected from the plurality of different client applications using the interface provided by the interface application. These claims also recite that the floating pallet uses the properties and behaviors of the selected client application.

Applicant respectfully submits that the Austin patent does not teach or suggest such a floating pallet. In making this rejection, the Examiner referred to the data access node described in the Austin patent (see, e.g., column 5, lines 33-54). Applicant respectfully submits that the data access node disclosed in the Austin patent does not teach or suggest the floating pallet recited in claims 1-10. Rather than a floating pallet (i.e., a pallet that remains visible even when the pallet does not have focus), the data access node is simply a graphical icon that triggers another application's access to a specified data source. More particularly, the data access node does not provide a user interface like a floating pallet. Instead, the data access is simply a marker that can be placed by a user in a graphical user interface. When the graphical user interface is then processed by another application, that application recognizes the data access node to be an instruction to access a data source identified by the data access node (using, e.g., a URL).

Accordingly, Applicant respectfully submits that the Austin patent does not teach or suggest the floating pallet recited in claims 1-10. Applicant further submits that the Li patent does not remedy this omission of the Austin patent. It is therefore submitted that no combination of the Austin and Li patents would teach or suggest the invention recited in claims 1-10. Applicant therefore asks that the rejection of claims 1 and 2 over the combination of the Austin and Li patents be withdrawn, and further submits that this rejection is not applicable to any of

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new claims 3-10.

In view of the above remarks, it is respectfully submitted that all of the claims are allowable, and that this application is in condition for allowance. Favorable action in this regard is courteously requested at the Examiner's earliest convenience.

Respectfully submitted,

BANNER & WITCOFF, LTD.

By: Thomas L. Evans
Thomas L. Evans, Reg. No. 35,805
1001 G Street, N.W., 11th Floor
Washington, D.C. 20001-4597
Telephone: (202) 508-9100
Facsimile: (202) 508-9299

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